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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/630,100	
	Filing Date	July 30, 2003	
	First Named Inventor	Philip E. Eggers	
	Art Unit	3739	
	Examiner Name	Michael Peffley	
Total Number of Pages in This Submission	24	Attorney Docket Number	NET 2-098

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Mueller and Smith, LPA		
Signature			
Printed name	Gerald L. Smith		
Date	February 17, 2005	Reg. No.	22,009

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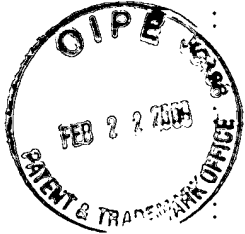
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Appln. No. 10/630,100  
Preliminary Amendment and Response dated February 17, 2005  
Reply to Office Action of January 21, 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Philip E. Eggers
Serial No.	:	10/630,100
Filed:	:	July 30, 2003
For:	:	Electrosurgical Accessing of Tissue with Controlled Collateral Thermal Phenomena
TC/AU	:	3739
Examiner	:	Michael Peffley
Attorney Docket No.	:	NET 2-098



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**PRELIMINARY AMENDMENT AND RESPONSE**

Sir:

Applicants respond to Examiner's restriction requirement, mailed January 21, 2005.  
Applicants request entry of a Preliminary Amendment to the above-identified application as follows:

**Amendments to the Specification** begins on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims that begins on page 8 of this paper.

**Remarks** begin on page 16 of this paper.